

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JEANINE BUTLER, Individually and on
behalf of others similarly situated,

Plaintiff,

v.

VOLKSWAGEN GROUP OF AMERICA,
INC., and VOLKSWAGEN AG,

Defendants.

Case No. 1:15-cv-1245-LO-MSN

DEFENDANT VOLKSWAGEN GROUP OF AMERICA, INC.'S MOTION TO STAY

Defendant Volkswagen Group of America, Inc. (“VWGoA”), by counsel, hereby moves this Court for entry of an Order staying all proceedings in this action pending the determination by the Judicial Panel on Multidistrict Litigation (“JPML” or the “Panel”) of pending motions for transfer of related actions based on common questions of fact as those contained in Plaintiffs’ Complaint in *In re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672. This Motion is filed in addition to VWGoA’s Motion for Enlargement of Time to File Responsive Pleadings that is filed contemporaneously herewith.¹ Counsel for VWGoA met and conferred with counsel for Plaintiffs regarding the relief requested in this Motion, but counsel for Plaintiffs took no position and reserved all their rights. In support

¹ VWGoA has sought similar relief in another case pending before this Court, *Michael E. Johnson, Sr., et al. v. Volkswagen Group of America, Inc.*, Case No. 1:15-cv-01225. *Johnson* is one of many similar cases filed against Defendant in this Court based on constructively identical allegations. On October 14, 2015, the Court set Defendant’s Motion to Enlarge Time and Motion to Stay in the *Johnson* case for oral hearing on October 23, 2015 at 10:00 a.m., and ordered that VWGoA need not file an Answer to the *Johnson* Complaint until further action has been taken by the Court. VWGoA will notice the Motion to Stay filed in this case for October 23, 2015 as well.

of this Motion, VWGoA refers this Court to its Memorandum in Support.

WHEREFORE, for the reasons stated in the accompanying Memorandum in Support of this Motion, VWGoA respectfully requests that this Court grant its Motion to Stay and award any other relief that this Court deems just and proper.

Dated: October 15, 2015

Respectfully submitted,

VOLKSWAGEN GROUP OF AMERICA, INC.

/s/ Kenneth W. Abrams

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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Kenneth W. Abrams

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